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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: September 22, 2009
4:40 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roehe
Deputy

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. CR20081339

JEANNE HICKS, CLERK

By: Rachel Roehe, Deputy Clerk

DATE: September 22, 2009

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney

(For Plaintiff)

John Sears

107 North Cortez Street, Suite 104
Prescott, AZ 86301

Larry Hammond

Anne Chapman

OSBORN MALEDON, P.A.
2929 North Central Avenue, 21st Floor
Phoenix, AZ 85012

(For Defendant)

HEARING ON:

Oral Argument / Evidentiary Hearing

Motion to Dismiss Death Penalty Notice for Lack of Probable Cause and

Motion for Reexamination of Conditions of Release

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 3:02 p.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

Counsel discuss the issue of medical records. Counsel for the State requests an order for medical records.

The request for medical records **IS GRANTED**. The Court signs the formal order this date.

Counsel argue the Motion to Dismiss the Death Penalty Notice for Lack of Probable Cause. Discussion takes place regarding timeliness issues.

Defense Counsel provides a CD to the State.

The Court reaffirms its previous orders regarding discovery and disclosure. The State shall make disclosure sufficiently in advance of the hearing to allow Defense Counsel time to respond.

Evidentiary Hearing / Oral Argument / Chronis Hearing is set for **October 20, 2009, from 10 a.m. to noon**. The Court will consider possibilities to schedule the remainder of the hearing for another date. The deadline for the State's disclosure for the hearing is October 2, 2009.

Counsel argue the Motion for Reexamination of Conditions of Release.

Defense Counsel demonstrates a proposed GPS monitoring service.

The Court takes the matter under advisement.

The Court authorizes the release of Exhibits 1, 2 and 3 marked for this hearing, but the Court will hold onto those exhibits at this time for purposes of review in deciding these issues.

END TIME: 4:40 p.m.

cc: VS (e)
Division 6 (w/file and exhibits) (under advisement) (Division 6 already has file and exhibits)
Dean Trebesch (Contract Administrator) (PD) (e)
YCSO (e+)